



2005 SENATE BILL 606

February 20, 2006 - Introduced by Senators LAZICH, DARLING, A. LASEE and ROESSLER, cosponsored by Representatives STONE, VOS, F. LASEE, VAN ROY and KRAWCZYK. Referred to Committee on Health, Children, Families, Aging and Long Term Care.

1 **AN ACT** *to amend* 48.833; and *to create* 48.834 of the statutes; **relating to:**
2 placement for adoption of a child with a sibling who has been adopted or has
3 been placed for adoption.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Health and Family Services (DHFS), a county department of human services or social services (county department), or a child welfare agency may place a child for adoption in a licensed foster home without an order of the court assigned to exercise jurisdiction under the Children's Code if DHFS, the county department, or the child welfare agency is the guardian of the child or makes the placement at the request of another agency that is the guardian of the child. Current law requires DHFS, a county department, or a child welfare agency, before placing a child for adoption, to consider the availability of a placement for adoption with a relative of the child.

This bill requires DHFS, a county department, or a child welfare agency, before placing for adoption a child who has a sibling who has been adopted or has been placed for adoption, to request the agency that investigated the adoptive placement of the sibling or is investigating the proposed adoptive placement of the sibling to investigate the placement of the sibling to determine whether that placement is suitable for the child and, if the investigating agency indicates that the placement is suitable for the child, to place the child for adoption in that placement.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 48.833 of the statutes is amended to read:

2 **48.833 Placement of children for adoption by the department, county**
3 **departments, and child welfare agencies.** The department, a county
4 department under s. 48.57 (1) (e) or (hm),² or a child welfare agency licensed under
5 s. 48.60 may place a child for adoption in a licensed foster home or a licensed
6 treatment foster home without a court order if the department, county department
7 ~~under s. 48.57 (1) (e) or (hm) or the,~~or child welfare agency is the guardian of the child
8 or makes the placement at the request of another agency ~~which~~ that is the guardian
9 of the child. ~~Before placing a child for adoption under this section, the department,~~
10 ~~county department or child welfare agency making the placement shall consider the~~
11 ~~availability of a placement for adoption with a relative of the child who is identified~~
12 ~~in the child's permanency plan under s. 48.38 or 938.38 or who is otherwise known~~
13 ~~by the department, county department or child welfare agency.~~ When a child is
14 placed under this section in a licensed foster home or a licensed treatment foster
15 home for adoption, the department, county department,² or child welfare agency
16 making the placement shall enter into a written agreement with the proposed
17 adoptive parent, which shall state the date on which the child is placed in the licensed
18 foster home or licensed treatment foster home for adoption by the proposed adoptive
19 parent.

20 **SECTION 2.** 48.834 of the statutes is created to read:

